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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
***SENIOR COUNSEL

July 2, 2001

WRITER'S DIRECT NUMBER:
(202) 371-2630

INTERNET ADDRESS:
bchalker@skgf.com

Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 09/836,548; filed April 18, 2001
For: **Substituted 1,4-Thiazepine and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof**
Inventors: Drewe *et al.*
Our Ref: 1735.0450001/RWE/BEC

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated June 8, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventors (6 sheets);
4. An original executed Power of Attorney from Assignee from Cytovia, Inc.;
5. An original executed Certificate Under 37 C.F.R. § 3.73(b) from Cytovia, Inc., with copy of Assignment attached;
6. An original executed Power of Attorney from Assignee from Axys Pharmaceuticals, Inc.;

Commissioner for Patents

July 2, 2001

Page 2

7. An original executed Certificate Under 37 C.F.R. § 3.73(b) from Axys Pharmaceuticals, Inc., with copy of Assignment attached;
8. Return postcard; and
9. Our Check No. 31745 for \$1,663.00 to cover:

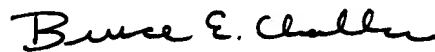
\$355.00	Basic filing fee (37 C.F.R. § 1.16(a));
280.00	Independent claims in excess of three (37 C.F.R. § 1.16(b));
828.00	Claims in excess of twenty (37 C.F.R. § 1.16(c));
135.00	Multiple dependent claim (37 C.F.R. § 1.16(d)); and
65.00	Surcharge - late filing fee or declaration (37 C.F.R. § 1.16(e)).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Bruce E. Chalker
Patent Agent
Registration No. 47,480

BEC/dab
P:\USERS\DENISEB\1735\0451mpcov
Enclosures

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/836,548
Filing Date	April 18, 2001
First Named Inventor	John A. Drewe et al.
Examiner Name	(to be assigned)
Group Art Unit	(to be assigned)
Attorney Docket No.	1735.0450001/RWE/BEC

TOTAL AMOUNT OF PAYMENT	(\$1,663.00)
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METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number	19-0036
Deposit Account Name	Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☒ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION**I. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 355.00

2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims 112 - 20** =	92	X 9	= 828
Indep. Claims 10 - 3** =	7	X 40	= 280
Multiple Dependent		135	= 135

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 1,243.00

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large	Entity	Small	Entity
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Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 65.00

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Bruce E. Chalker	Registration No. (Attorney/Agent)	47,480	Telephone	202-371-2600
Signature	<i>Bruce E. Chalker</i>	Date	07/02/2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
SKGF Rev. 11/13/00 mnc



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/836,548	04/18/2001	John A. Drewe	1735.0450001

CONFIRMATION NO. 6789

26111

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1100 NEW YORK AVENUE, N.W., SUITE 600
WASHINGTON, DC 20005-3934

FORMALITIES LETTER



OC000000006165495

Date Mailed: 06/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2414.
 - \$1584 for 88 total claims over 20.
 - \$560 for 7 independent claims over 3.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3254.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

Rep'n. Ref: 09/13/2001 SSQLEKU 13153300
DHH:190036
FC: 704
Name/Number: 09836548 \$33.00 CR

09/13/2001 SSQLEKU 00000001 09836548
01 FC:203 792.00 OP

07/09/2001 EEUUBAY1 00000081 09836548

01 FC:201 355.00 OP
02 FC:202 280.00 OP
03 FC:202 135.00 OP
04 FC:204 65.00 OP
05 FC:205

Adjustment dates: 06/12/2001
07/09/2001
08/06/2001
09/13/2001
10/20/2001
11/27/2001
12/04/2001
01 FC:203